

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application for Modification of Resolution
E-4783 filed by San Diego Gas & Electric
Company (U902E).

Application 16-10-018

DECISION GRANTING MOTION TO WITHDRAW APPLICATION**Summary**

This decision grants the motion filed by San Diego Gas & Electric Company to withdraw without prejudice its application for modification of Resolution E-4783. This proceeding is closed.

1. Background

On October 27, 2016, San Diego Gas & Electric Company (SDG&E) filed an application for modification of Resolution E-4783 (Application) seeking to rescind the requirement that SDG&E procure additional megawatts through the Renewable Auction Mechanism (RAM) program. SDG&E concurrently submitted a Petition for Modification addressing certain RAM directives in the following dockets: Application (A.) 08-07-017, Rulemaking (R.) 08-08-009, and R.11-05-005.

On October 27, 2016, the Office of Ratepayer Advocates timely filed a response in support of SDG&E's application.

On September 11, 2017, SDG&E filed a motion to withdraw the Application without prejudice (Motion). SDG&E explains that it filed both the

Application and Motion based on directives provided by the Commission's Docket Office.¹ SDG&E's Motion is unopposed.

2. Discussion

SDG&E's Application seeks modification of a Commission Resolution which was drafted by the Commission's Energy Division. SDG&E correctly notes that the relief sought in the Application is not appropriately considered in a formal proceeding.

The Commission has recently amended General Order (GO) 96-B to make clear that any petitions for modification of a Commission resolution should be submitted to the Industry (or Administrative Law Judge) Division responsible for issuing the draft of the resolution.² To the extent that SDG&E seeks modification of Resolution E-4783, SDG&E may submit a petition for modification of the resolution pursuant to Rule 8.2 of GO 96-B.

Requests for modification to Resolution E-4783 are more appropriately considered by the Commission's Energy Division which issued the draft of the resolution. Therefore, we find reasonable and grant SDG&E's request to withdraw the Application.

3. Categorization and Need for Hearing

In Resolution ALJ 176-3388, dated November 10, 2016, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. There is no need to change the preliminary determinations.

¹ Motion at 1-2.

² Resolution ALJ-346, dated May 10, 2018.

4. Waiver of Comment Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2) and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

5. Assignment of Proceeding

Liane M. Randolph is the assigned Commissioner and Sophia J. Park is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. On October 27, 2016, SDG&E filed an application seeking modification of a Commission Resolution which was drafted by the Commission's Energy Division.
2. On September 11, 2017, SDG&E filed a motion to withdraw its application.
3. SDG&E's motion to withdraw its application is unopposed.

Conclusions of Law

1. Pursuant to GO 96-B, petitions for modification of a Commission resolution should be submitted to the Industry (or Administrative Law Judge) Division responsible for issuing the draft of the resolution.
2. SDG&E's request to withdraw its application without prejudice should be granted.

O R D E R

IT IS ORDERED that:

1. San Diego Gas & Electric Company's motion to withdraw Application 16-10-018 without prejudice is granted.
2. Application 16-10-018 is closed.

This order is effective today.

Dated _____, at San Francisco, California.